FARAD CONTINUATION SHEET NO
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE

CIVIL APPLICATION NO.4099/2004 IN F.A.NO.1052/2002

Office notes, office Memoranda of Coram, appearance, Court's orders or directions and Registrar's orders.	Court's or Judge's orders

Mr. G.V.Nagarsheth for the Applicants.

Mr. Karandikar for the Respondent Nos.1,2, 5 and 6.

CORAM : H.L. GOKHALE &
R.S. MOHITE, JJ.
DATED : 10/12/2004.

P.C.

1. Heard Mr. Nagarsheth in support of this application. Mr. Karandikar appears for the respondent Nos. 1,2,5 and 6. The respondent Nos. 3 and 4 are deleted. Mr. Nagarsheth informs that the respondent No.7 is a formal respondent. Application seeks restoration of the appeal. It was dismissed for non payment of the court fees. The order itself was erroneous inasmuch as the applicants being ladies are not required to pay court fee as per the Government resolution dated 1.11.1994. This being the position we allow this application. There has been delay in filing the same. Accordingly we condon the delay and restore the first appeal which came to be dismissed by order dated 5.1.2000.

2. Mr. Nagarsheth prays that status quo granted earlier be restored. Inasmuch as good time has gone from the date when that order was passed, we grant status quo as of today. Civil application is accordingly granted. Civil application No.2566 of 2002 wherein the order of Status quo was passed earlier be listed for consideration on 17.12.2004.

2. All concerned to act on a copy of this order duly authenticated by the Sheristedar/C.S. of this court.

(H.L. GOKHALE, J.)

(R.S. MOHITE, J.)